

ENTERED

August 01, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

TORIBIO C. REYES, JR.

Plaintiff.

VS.

FIDELITY INVESTMENTS

Defendant.

VS.

MARINE CORPS SCHOLARSHIP
FOUNDATION, INC.

Third-Party Defendant.

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CIVIL ACTION NO: 3:18-CV-00134

## ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On July 10, 2018, this case was referred to United States Magistrate Judge Andrew M. Edison. Dkt. 15. On July 17, 2018, Judge Edison filed a Memorandum and Recommendation (Dkt. 17) recommending that Plaintiff's Motion to Remand (Dkt. 13) be GRANTED and this case be remanded to the 412th District Court of Brazoria County, Texas.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, FED. R. CIV. P. 72(b)(3).

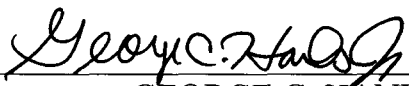
Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby

**ORDERED AND ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff's Motion to Remand (Dkt. 13) is **GRANTED**;
- (3) This action, originally numbered 95810-CV by the Brazoria County District Clerk, is **REMANDED** back to the 412th District Court of Brazoria County, Texas, effective immediately; and
- (4) A certified copy of this order will be mailed by the Clerk of this court to the Clerk of the 412th District Court of Brazoria County, Texas entitling that Court to proceed with the action according to the laws of the State of Texas.

It is so **ORDERED**.

SIGNED and ENTERED this 1<sup>st</sup> day of August, 2018.

  
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GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE